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B&O Manufacturing, Inc.

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO/OAKLAND DIVISION**

**B&O MANUFACTURING, INC.,**

Plaintiff,  
v.

**HOME DEPOT U.S.A., INC.,**

Defendant.

Case No.: C 07-02864 JSW

**[PROPOSED] ORDER DENYING  
DEFENDANT'S MOTION TO  
TRANSFER VENUE TO THE  
NORTHERN DISTRICT OF GEORGIA  
AND TO DISMISS COUNTS TWO  
THROUGH FIVE OF PLAINTIFF'S  
SECOND AMENDED COMPLAINT**

Date: November 2, 2007  
Time: 9:00 a.m.  
Ctmm: 2, 17<sup>th</sup> Floor  
Judge: Hon. Jeffrey S. White

Defendant's Motion to Transfer Venue to the Northern District of Georgia and to Dismiss Counts Two Through Five of Plaintiff's Second Amended Complaint came on regularly for hearing on November 2, 2007. Christopher T. Giovinazzo, of Bondurant, Mixson & Elmore LLP, and \_\_\_\_\_, of Sedgwick, Detert, Moran & Arnold LLP appeared for Defendant Home Depot U.S.A., Inc. Paul E. Rice, of Rice & Bronitsky, appeared for Plaintiff B&O Manufacturing, Inc.

The Court, having considered Defendant's Motion and supporting papers, and Plaintiff's Opposition and supporting papers, and GOOD CAUSE HAVING BEEN SHOWN THEREFORE,

Defendant's Motion is HEREBY DENIED.

IT IS SO ORDERED.

Dated: \_\_\_\_\_, 2007

\_\_\_\_\_  
The Honorable Jeffrey S. White  
United States District Judge

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